

The Honorable Barbara J. Rothstein

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

EC EDWARD COBB,

Plaintiff,

v.

SOUTH CORRECTIONAL ENTITY, *et al.*,

Defendants.

CASE NO. C20-607-BJR

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND DISMISSING  
ACTION

The Court, having reviewed Plaintiff's complaint the Report and Recommendation of the Honorable Michelle L. Peterson, United States Magistrate Judge, Plaintiff's Objections and Supplemental Objections thereto, and the remaining record, does hereby find and Order:


(1) As set forth in the Report and Recommendation, Plaintiff's complaint is defective in a number of ways. Even though Judge Peterson has explained the defectives and the manner in which the defects may be corrected and despite accommodating Plaintiff's repeated requests for extensions, Plaintiff has failed to file a legally sufficient amended complaint. As Judge Peterson aptly states "[t]his case had now been pending for almost sixteen months, and Plaintiff has yet to file a clear, concise, and viable pleading." Dkt. No. 34. Plaintiff's Objections and Supplement Objections do not adequately address the errors highlighted in the Report and Recommendation;

(2) Therefore, the Court adopts the Report and Recommendation;

1           (3) Plaintiff's complaint (Dkt. No. 10) and this action are hereby DISMISSED,  
2 without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B), for failure to state a viable claim for  
3 relief under 42 U.S.C. § 1983; and  
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5           (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for  
6 respondent, and to Judge Peterson.

7           Dated this 21st of September 2021.

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10 Barbara Jacobs Rothstein  
11 U.S. District Court Judge  
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